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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,165	03/05/2002	Osamu Kamataki	Q68836	5468
23373	7590	08/12/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			ASTORINO, MICHAEL C	
			ART UNIT	PAPER NUMBER
			3736	

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/090,165

Applicant(s)

KAMATAKI ET AL.

Examiner

Michael C. Astorino

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2005 and 29 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-8 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

The examiner acknowledges the amendments made in document filed June 30, 2005.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weisner et al. US Patent Number 5,262,944 A in view of Schoenberg et al. US Patent Number 6,322,502 B1.

Claim 1. A method of displaying vital signs for use with a bedside monitor which comprises a first display section and a second display section provided in the first display section, comprising the steps of:

disposing the bedside monitor at a bedside of one of a plurality of patients; (see column 4, lines 43-49)

simultaneously displaying, in the first display section, parameter values of a plurality of sets of vital signs measured for the patients respectively; (figure 3 and 4) and

displaying alarm information the second display section when at least one of vital signs of any of the patients is in a state where an alarm is to be generated. (76 alarm).

Weisner et al. does not disclose wherein the bedside monitor is connected to a central monitor. However, Scheonberg et al. does disclose a bedside monitor connected to a central

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station. (see column 4, lines 4-24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the bedside monitor of Weisner et al. in view of Networked system of Schoenberg et al., since Schoenberg et al. states in column 1, lines 37-42 and 52-67, and column 2, lines 36-39, motivation to combine a networked system with an ICU monitor to promote using a to provide a clear and complete picture of the patient and the efficiency of the treatment which he is receiving, as well as information from and about a patient to be selectively accessible to various members of a medical team in a hospital.

Claim 2. A method of displaying vital signs for use with a bedside monitor which comprises a display area, the method, comprising the steps of:

disposing the bedside monitor at a bedside of one of a plurality of patients; (see column 4, lines 43-49)

simultaneously displaying, in the display area parameter values of a plurality of sets of vital signs measured for a the patients respectively; (figure 3 and 4)

displaying, in the display area, prioritized alarm information from among alarm information pertaining to vital signs for each of the patients, when at least one of the vital signs of any one of the patients is in a state in which an alarm is to be issued. (column 5, lines 49-67, column 6, lines 1-67, and column7, lines 1-66 and 76 alarm).

Weisner et al. does not disclose wherein the bedside monitor is connected to a central monitor. However, Scheonberg et al. does disclose a bedside monitor connected to a central station. (see column 4, lines 4-24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the bedside monitor of Weisner et al. in view of

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Networked system of Schoenberg et al., since Schoenberg et al. states in column 1, lines 37-42 and 52-67, and column 2, lines 36-39, motivation to combine a networked system with an ICU monitor to promote using a to provide a clear and complete picture of the patient and the efficiency of the treatment which he is receiving, as well as information from and about a patient to be selectively accessible to various members of a medical team in a hospital.

### *Response to Arguments*

Applicant's arguments with respect to claim June 30, 2005 have been considered but are moot in view of the new ground(s) of rejection.

### *Allowable Subject Matter*

Claims 3-8 are allowed over the prior art.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Astorino whose telephone number is 571-272-4723.

The examiner can normally be reached on Monday-Friday, 8:30AM to 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on 571-272-4726. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Michael Astorino', with a long horizontal flourish extending to the right.

Michael Astorino  
August 9, 2005